

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 05-CR-118

KEITH A. ROBERTS,

Defendant.

ORDER

Defendant, Keith A. Roberts is charged in a superseding indictment with five counts of wire fraud violation of 18 U.S.C. § 1343. Essentially, Roberts is alleged to have repeatedly provided materially false and fraudulent written and oral information to the Veteran's Administration as part of a scheme to obtain disability benefits based upon a fabricated role in a 1969 airplane accident that occurred in Italy. This case has been pending since April 26, 2005, and Roberts is presently on his second attorney. The record reflects that on September 21, 2005, defendant, through counsel, attempted to enter a plea of not guilty by reason of mental disease or defect. No written notice of an insanity defense has been filed pursuant to Rule 12.2 of the Federal Rules of Criminal Procedure.

Based upon the foregoing, it is hereby ordered that in the event defendant seeks to assert a defense of insanity at the time of the alleged offense, he must file a notice of insanity defense pursuant to Rule 12.2, on or before September 30, 2005. Failure to file notice of such defense before that time shall constitute waiver of the defense.

SO ORDERED.

Dated this 22nd day of September, 2005.

s/ William C. Griesbach
WILLIAM C. GRIESBACH
United States District Judge